

REGULAR MEETING-BOARD OF TRUSTEES-DECEMBER 19, 2006-7:00 P.M.

PRESENT: ERNEST W. MARTIN, MAYOR; TRUSTEES – JOHN MURPHY, MICHAEL HANEHAN*, MARTIN RICCARDI, RAYMOND WALKER

ALSO PRESENT: ATTORNEY, JAMES PELUSO; BUILDING CODE OFFICER, LYNN GOMAN; FIRE CHIEF, SHANE MAHAR; SUPT. OF PUBLIC WORKS, ROBERT GERASIA

Mayor Martin called the meeting to order at 7:00 P.M. and led the Pledge to the Flag.

SUPT. OF PUBLIC WORKS – Robert Gerasia

Copy of report on file – Supt. advised we have purchased the rental pump for Clinton Court for approximately \$600 buy-out and we have had the old pump repaired. Installed new street signs & stop signs, purchased and installed new hydrant markers throughout the Village.

SPECIAL GUEST – Joseph Urbanski, Saratoga Custom Homes

Mr. David Bogardus, representative for Mr. Urbanski, explained Mr. Urbanski is under contract with the Stillwater Union Cemetery Association to purchase land from them, he is proposing to develop the area building 16 single family homes on small lots with a courtyard in the middle that would be common space. They would take advantage of access roads to the cemetery, widening and making them one-way in and one-way out. They are trying to target entry level home buyers or seniors looking to downsize. Land south of the entrance would be divided into garden or recreation areas, no permanent structures would be allowed. Land bordering Rtes. 4&32 is a wet area that would remain the same, the rear wetland would probably be used to assist with storm water management. Looking for input from the Board with regard to sewer.

Mayor explained the sewer situation, the village has submitted information to DEC requesting additional connections, we are still waiting for DEC to respond.

Trustee Murphy explained the Village currently has a contract with the Town for sewage disposal for a section of Castle Cliff, there is a possibility the Town would want to dispose of the sewage via the county system and this would open up our ability to offer connections within the village.

The Board was asked if they could give a sense that the village would accept additional sewage. The advised there are already two projects on the table awaiting connections and they would be given approval prior to this project.

Trustee Hanehan questioned size of land that would be purchased; some discussion was held regarding storm water management and existing problems in that area.

Supt. Gerasia questioned road maintenance, it was explained that there would be a home owners association, further discussion could be held regarding the roads if the village was interested in having them deeded to them.

Trustee Murphy explained there is a storm water I&I problem at the north end of the village. Discussion was held regarding this situation, lighting, sidewalks, emergency vehicle access and parking.

*Supt. Gerasia left at 7:30 P.M.

CORRESPONDENCE – None at this time

BUILDING CODE OFFICER – Lynn Goman

7 permits for the month – 1 demolition, 1 new home, several renovations. Mr. Goman reported he completed many inspections throughout the month

Trustee Hanehan left at 7:40 P.M.

FIRE CHIEF – Shane Mahar

Monthly report on file

Chief Mahar requested a motion to approve two social members for the Department

MOTION to approve Raymond Gadoua & Jessica Dunn as social members for the Fire Department made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 3-0

Chief Mahar advised that Chris Aldi has been reactivated in the Department; he will be helping with the computer information and other areas where he is needed.

The Fire Company adopted a family in need this holiday season.

The grant request for a new fire truck has been denied this time around, Amanda Walsh will be working on a SARA Grant for records management.

The diesel fumes in the garage area have been addressed by memo to the entire department. The memo has been posted in the garage. This should help control the situation until an alternative can be researched.

Trustee Murphy offered an industrial fan to help alleviate the problem.

Chief Mahar reviewed the annual report (copy on file)

2007 Officers:

Chief: Shane Mahar (1 year left of two year term)

1st Assist Chief: Jeff Mahar

2nd Asst. Chief: Tony Conti

Captains: Paul O’Kosky II

Kevin Mehan

Lieutenants: Matt Mehan

Bryan Nyland

President: Tracey Cancilla

Vice Pres: Raylene Dunn

Secretary: Amy VanArnum

Treasurer: Bill Mehan

Trustees: Tom Caivana (2-year term)

Marc Scelsi (2-year term)

Paul O’Kosky, Sr. (1-year term)

Steward: Tracey Cancilla

MOTION to approve the Newland-Wood Fire Company Officers for 2007 made by Trustee Walker, seconded by Trustee Murphy.

Motion carried 3-0

Mayor Martin read a letter from Albany County J Fire Program, Deputy Fire Coordinator William Benson, commending Tracey Cancilla on her outstanding accomplishments with regard to her many positions. He stated if the village was ever in need of juvenile fire prevention counseling she would be the person able to achieve the necessary results.

Mayor Martin congratulated Ms. Cancilla on the praise she received.

COMMITTEE REPORTS

Trustee John Murphy – Trustee Murphy advised a \$1,500 escrow payment was received from NKT Land Acquisitions for additional expenses with regard to their project. He also advised he corresponded with Frank Russell but he was unable to speak with him regarding the letter prior to the meeting.

Trustee Raymond Walker – Trustee Walker advised the Zoning Commission held their first public informational meeting. Valuable input was received; however the meeting was poorly attended. He explained the proposed zoning map that is displayed in the Board room.

Trustee Martin Riccardi – Trustee Riccardi spoke regarding the need for carbon monoxide detectors throughout the building. He suggested the Building Code Officer, Supt. of Public Works and the Fire Chief go through the building to determine how many detectors are needed and have the DPW install them. The former Chief spoke regarding the need for an exhaust system to replace the poorly installed exhaust in the front bay.

Trustee Riccardi advised he spoke to the Police Chief regarding the cross walk and illegal parking at the Post Office. The Chief assured him they would patrol the area.

ATTORNEY – James Peluso

Executive Session item

CLERK-TREASURER – Margo Partak

MOTION to amend the water fund budget increasing estimated revenue F2680 (Insurance recoveries) and appropriation F8340.404 (transmission & distribution equipment repair) \$4,933 (insurance money received for damage to hydrant) made by Trustee Murphy, seconded by Trustee Riccardi
Motion carried 3-0

MOTION to transfer \$1,495 from A1990.4 (contingent) to A9730.7(BAN interest) \$325 (incorrect amount budgeted) and A5110.4 (street maintenance contractual) \$1,170 (repairs to Ferry Lane due to flooding) made by Trustee Walker, seconded by Trustee Riccardi.
Motion carried 3-0

**BOND ANTICIPATION RENEWAL NOTE RESOLUTION
DATED THE 19th DAY OF DECEMBER 2006 AUTHORIZING
THE RENEWAL OF A BOND ANTICIPATION NOTE
ISSUED ON THE 21ST DAY OF DECEMBER 2005
IN THE AMOUNT OF \$130,000 IN ANTICIPATION
OF THE SALE OF SERIAL BONDS AUTHORIZED TO
FINANCE THE PURCHASE OF A NEW DUMP TRUCK CHASSIS & BODY**

BE IT RESOLVED, by the Village Board of the Village of Stillwater, in the County of Saratoga, as follows:

WHEREAS, this Board has on December 20, 2005, adopted a Resolution authorizing this issuance and sale of bonds in the amount of One hundred thirty thousand (\$130,000.00) Dollars for the purpose of purchasing a new dump truck chassis & body, said bonds having not as yet been sold.

WHEREAS, said Board did on December 20, 2005 further adopt a Resolution authorizing the issuance of a Bond Anticipation Note in the amount of One hundred thirty thousand dollars (\$130,000);

AND WHEREAS, pursuant to said Resolutions a Bond Anticipation Note was issued on December 21, 2005 to Ballston Spa National Bank, which said Bond Anticipation Note is due and payable on December 21, 2006

NOW, THEREFORE, IT IS RESOLVED THAT:

1. The Village Board of the Village of Stillwater duly authorized the renewal of said Bond Anticipation Note in the principal sum of One hundred fifteen thousand dollars (\$115,000), said Bond Anticipation Note as renewed, shall be due and payable on December 21, 2007 in said principal amount, together with accrued interest at a rate of 3.85% per annum. Said note shall be executed in the name of the Village by its Mayor, as Chief Fiscal Officer, his corporate seal shall be affixed thereto, and it shall be attested thereto by the Clerk
2. The specific object or purpose for which the obligation is to be issued pursuant to the resolution is to finance the above-stated purpose.
3. As required by the Local Finance Law of the State of New York, it is hereby stated that (a) there is now outstanding a Bond Anticipation Note issued on December 21, 2005 in the amount of One hundred thirty thousand dollars (\$130,000), which said note is due and payable on December 21, 2006, and (b) the note authorized by this Resolution is a renewal note, and (c) the Note authorized by this Resolution shall mature within one (1) year from the date of its issue, and (d) such Note is issued in anticipation of bonds.
4. Said Note shall be in the same form and contain the same terms and conditions as the original Bond Anticipation Note, except that the interest rate in the Bond Anticipation Note shall be 3.85% per annum.
5. The note hereby authorized is hereby designated a “qualified tax exempt obligation” pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended (the “Code”). The Village reasonably anticipates and hereby agrees that it will not issue tax-exempt obligations in excess of \$10 million during the calendar year 2006. The Village further certifies that the sum of the principal amount of this note and the principal amount of any other tax-exempt obligations

heretofore issued by the Village during 2006 for the purpose of Section 265 (b)(3)(C) of the Code does not exceed \$10 million.

6. Appropriate documents shall be executed to prevent application of the arbitrage provisions of the Internal Revenue Code to said note, and the note shall contain provisions required by Ballston Spa National Bank to assure continued exemption of the interest on the note from Federal and State income taxes, and in particular, said Village does hereby agree to comply with the requirements for continued tax exemption of such interest as are set forth in the Code.
7. In the event that for any reason, other than through fault of Ballston Spa National Bank, the interest on said note becomes taxable, then upon request of Ballston Spa National Bank, said Village shall redeem said Note.
8. Said note is not issued in anticipation of bonds for an assessable improvement, or any other purpose specified by Section 36.00(a) of the Local Finance Law.
9. This resolution shall take effect immediately.

RESOLUTION moved by Trustee Murphy, seconded by Trustee Walker.

Motion carried 3-0

MOTION to open the floor to the public and press made by Trustee Riccardi, seconded by Trustee Murphy.

Motion carried 3-0

Jason Rich spoke with regard to the possibility of constructing a commercial building on property adjacent to the diner to house materials for his commercial floor covering business. He employs approximately 15 people and would like to stay in the area. He questioned if the sewer connection would be an issue. The Board explained single connections are not an issue; he would need to obtain a land development application and submit a plan. He questioned village requirements for streets; he is interested in the possibility of erecting homes on land adjacent to the area at some time in the future. Discussion was held regarding this situation. They are also working on plans to include another commercial property in that area as well.

Fred Tracy spoke regarding his business located adjacent to Russell Drive. He is interested in expansion; he would like to remain in this area. He has contacted a property owner in the village about purchasing their land, he would move his business to that site and the size of the business would increase approximately 4 fold. Would like to be able to display the product on site. Building would encompass approximately 1 acre of land remainder would be display area. He was advised to obtain a land development application and relevant local laws, then submit a plan for Board approval.

A question was asked if the village was part of the "Empire Zone", the Mayor advised that at one time that area was designated "Empire Zone" however he would have to research to see if it is still included.

MOTION to close the floor to the public and press made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 3-0

NEW BUSINESS

Nothing

OLD BUSINESS

Mayor Martin requested the following resolution be adopted with regard to NIMS

RESOLUTION

WHEREAS, Homeland Security Presidential Directive/HSPD-5 established the National Incident Management System (NIMS); and

WHEREAS, the NIMS establishes a single, comprehensive approach to domestic incident management to ensure that all levels of government across the nation have the capability to

work efficiently and effectively together using a national approach to domestic incident management; and

WHEREAS, the NIMS provides a consistent nationwide approach for Federal, State, County and local governments to work together to prepare for and respond, and recover from, domestic incidents regardless of the cause, size or complexity, and

WHEREAS, the NIMS provides for inter-operability and compatibility among Federal, State, County and local capabilities and includes a core set of concepts, principle terminologies and technologies covering the incident command system, unified command, training, management of resources and reporting; and

WHEREAS, all Federal departments and agencies make the adoption of the NIMS a requirement, to the extent provided by law, for providing Federal preparedness assistance through , contracts or other activities to State, County and local governments; now therefore, be it,

RESOLVED, that based upon the recommendation of the Village of Stillwater Emergency Management and Preparedness Committee, the Village of Stillwater hereby adopts the National Incident Management System (NIMS) as its system of preparing for and responding to disaster incidents.

RESOLUTION moved by Trustee Murphy, seconded by Trustee Walker.

Roll call vote: Trustee Murphy – yes

Trustee Walker - yes

Trustee Riccardi - yes

Mayor Martin - yes

Trustee Hanehan - absent

Motion carried 4-0

MOTION to approve the Treasurer Report made by Trustee Riccardi, seconded by Trustee Murphy.

Motion carried 3-0

MOTION to approve the minutes from November 21, 2006 made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 3-0

MOTION to approve the audited claims:

A \$28,963.07

CD \$10,400.00

F \$ 8,172.34

G \$ 7,447.02

made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 3-0

MOTION to adjourn to executive session at 8:25 P.M. to consult with Attorney made by Trustee Riccardi, seconded by Trustee Walker.

Motion carried 3-0

MOTION to adjourn made by Trustee Walker, seconded by Trustee Murphy.

Motion carried 3-0

Meeting adjourned at 8:30 P.M.

Respectfully submitted,

Margo L. Partak
Clerk-Treasurer